

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF ALABAMA

113 ST. JOSEPH STREET
MOBILE, AL 36602

CHARLES R. DIARD, JR.
CLERK

(334) 690-2371

May 24, 2005

Sarah Allison Thornton, Clerk
2300 John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210-3002

Re: **MDL 1629 - In Re: Neurontin Marketing and Sales Practices**
Darlene Owens V. Pfizer, Inc., SDAL 04-768, DMA 05-11017

Dear Ms. Thornton,

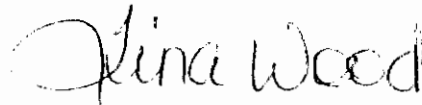
In accordance with the Conditional Transfer Order entered in the above styled cause on April 13, 2005, and pursuant to your letter of May 18, 2005, the following is enclosed:

- Certified copy of docket entries;
- Complete file on CD of proceedings had in this Court. The file consists of documents 1-18.

Please acknowledge receipt of this file on the enclosed copy of this letter. A self addressed envelope is included for your convenience.

Sincerely,
CHARLES R. DIARD, JR., CLERK

By:



Tina Wood
Deputy Clerk

encls.



Sarah Allison Thornton
CLERK OF COURT

May 18, 2005

Mr. Charles R Diard, Jr., Clerk
United States District Court
131 John A. Campbell United States Courthouse
113 St. Joseph Street
Mobile, AL 36602

04-0768-WS-L

IN RE: MDL DOCKET No. 1629 In Re: Neurontin Marketing and Sales Practices
USDC - Massachusetts Lead Case No. 1:04CV10739-PBS
Your Case: Civil Action No: 1:04-768 Darlene Owens, et al v. Pfizer, Inc. et al
District of MA No: 1:05cv11017 PBS

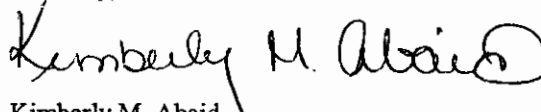
Dear Mr. Diard:

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,


Kimberly M. Abaid
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel
Counsel of Record
Robert Alba
Christine Patch

FILED MAY 11 2005
IN CLERKS OFFICE
FILED
CLERK'S OFFICE
2005 MAY 16 P 2:54

U.S. DISTRICT COURT
DISTRICT OF MASS
DOCKET NO. 1629

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE NEURONTIN MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE A)

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in the 21 actions listed on the attached Schedule A on April 13, 2005. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in the 21 actions submitted a notice of opposition to the proposed transfer. Plaintiffs have now advised the Panel that they withdraw their initial opposition to transfer with respect to these 21 actions.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-6" filed on April 13, 2005, is LIFTED, and thus these 21 actions are transferred to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Patti B. Saris.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

I hereby certify on 5-18-05 that the
foregoing document is true and correct copy of the
☐ electronic docket in the captioned case
☐ electronically filed original filed on _____
☒ original filed in my office on 5-17-05

Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts

By: [Signature]
Deputy Clerk

SCHEDULE A

MDL-1629 — In re Neurontin Marketing, Sales Practices and Products Liability Litigation

Southern District of Alabama

Darlene Owens, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-768

District of New Jersey

James H. Whitehouse, Sr., et al. v. Pfizer, Inc., et al., C.A. No. 2:04-6257

Northern District of New York

Frank Vercillo, Jr. v. Pfizer, Inc., et al., C.A. No. 5:05-32

Southern District of New York

Gary L. Lyman, etc., et al. v. Pfizer, Inc., et al., C.A. No. 1:04-6704

Mark Minisquero, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-7297

Nicole Justine James v. Pfizer, Inc., et al., C.A. No. 1:04-7374

Jay DiGiacomo v. Pfizer, Inc., et al., C.A. No. 1:04-7962

Avrill C. Aronson, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8721

Joy Dodson, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-8963

Timothy P. Scott, etc. v. Pfizer, Inc., et al., C.A. No. 1:04-8990

Dorothy Kern v. Pfizer, Inc., et al., C.A. No. 1:04-9249

John Dees, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-9304

Peter Veraas v. Pfizer, Inc., et al., C.A. No. 1:04-9429

Theodore Populis, et al. v. Pfizer, Inc., et al., C.A. No. 1:04-10265

Kathleen Wilson, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-72

William Montgomery v. Pfizer, Inc., et al., C.A. No. 1:05-73

Michael Mendoza v. Pfizer, Inc., et al., C.A. No. 1:05-74

Johnnie Hargrove v. Pfizer, Inc., et al., C.A. No. 1:05-75

Shanan Feyer, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-76

Gregory Retzer v. Pfizer, Inc., et al., C.A. No. 1:05-77

Sidney Brown, etc. v. Pfizer, Inc., et al., C.A. No. 1:05-237

CLOSED2005, R16MLD

U.S. District Court
Southern District of Alabama - District Version 2.4 (Mobile)
CIVIL DOCKET FOR CASE #: 1:04-cv-00768-WS-L

Owens v. Pfizer, Inc. et al
Assigned to: Judge William H. Steele
Referred to: Magistrate Judge Kristi D. Lee
Cause: 28:1332 Diversity-Product Liability

Date Filed: 12/01/2004
Jury Demand: Both
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

Darlene Owens
*as Personal Representative of the
Estate of Joseph Frank Owens,
deceased*

represented by **Frank Woodson**
Beasley, Allen, Crow, Methvin,
Portis & Miles, P.C.
P.O. Box 4160
Montgomery, AL 36103-4160
334-269-2343
Email: frank.woodson@beasleyallen.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Certified to be a true and
correct copy of the original.
Charles R. Diard, Jr.
United States District Court
Southern District of Alabama



s/Jeff Reinert, Deputy Clerk

DATE: May 24, 2005

Kenneth B. Fromson
Finkelstein & Partners, LLP
436 Robinson Ave.
Newburgh, NY 12550
800-624-1212
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Ronald Rosenkranz
Finkelstein & Partners, LLP
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V.

Defendant

Pfizer, Inc.

represented by **Andrew Burns Johnson**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant












Warner-Lambert Co.












represented by **Andrew Burns Johnson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Fred M. Haston, III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James W. Gewin
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/01/2004	 1	NOTICE OF REMOVAL by Pfizer, Inc., Warner-Lambert Co. from Mobile County Circuit Court, case number 04-4035. (Filing fee \$ 150, Receipt number 49338.) (Attachments: # 1 Civil Cover Sheet, # 2 Complaint, # 3 Exhibits)(tgw) (Entered: 12/02/2004)
12/01/2004	 2	Disclosure Statement filed by Defendants Pfizer, Inc., Warner-Lambert Co. Ref to Judge Steele and Judge Lee (tgw) (Entered: 12/02/2004)
12/01/2004	 3	MOTION to Dismiss and MOTION for Judgment on the Pleadings by Pfizer, Inc., Warner-Lambert Co. Referred to Judge Steele(tgw) (Entered: 12/02/2004)
12/02/2004	 4	PRELIMINARY SCHEDULING ORDER entered. Rule 26 Meeting Report due by 1/17/2005. Signed by Judge Kristi D. Lee on 12/2/04. (tgw) (Entered: 12/02/2004)
12/02/2004	 5	Document endorsed NOTED by Judge William H. Steele : Disclosure Statement 2 filed by Warner-Lambert Co., Pfizer, Inc. (Steele, William) (Entered: 12/02/2004)
12/02/2004	 6	MOTION for Hearing <i>on Motion to Dismiss</i> by Warner-Lambert Co.. (Johnson, Andrew) (Entered: 12/02/2004)
12/02/2004	 7	Order, re: 3 MOTION to Dismiss MOTION for Judgment on the Pleadings filed by Warner-Lambert Co. & Pfizer, Inc., responses due by 12/16/2004 and replies due by 12/27/2004. Motion to be taken under submission on 12/28/2004.Signed by Judge Steele. Copies to parties 12/3/04.(mpp) (Entered: 12/03/2004)
12/03/2004		REFERRAL OF 6 MOTION for Hearing <i>on Motion to Dismiss</i> to Judge Steele. NOTE: There is no image for this entry. (mpp) (Entered: 12/03/2004)
12/14/2004	 8	RESPONSE in Opposition re 3 MOTION to Dismiss MOTION for Judgment on the Pleadings filed by Darlene Owens. (Attachments: # 1 Exhibit Petition for Letters of Administration# 2 Exhibit Letters of Administration)(Woodson, Frank) (Entered: 12/14/2004)
12/14/2004		REFERRAL OF 8 Response in Opposition to Motion to Judge Steele. NOTE: There is no image for this entry. (tgw,) (Entered: 12/14/2004)
12/27/2004	 9	REPLY Brief filed by Defendants Pfizer, Inc., Warner-Lambert Co. re: 8 Response in Opposition to Motion filed by Pfizer, Inc., Warner-Lambert Co.. (Attachments: # 1 Exhibit Exhibit A)(Johnson, Andrew) (Entered: 12/27/2004)

		12/27/2004)
12/27/2004	 9	REFERRAL OF 9 Reply Brief to Judge Steele. NOTE: There is no image for this entry. (mpp) (Entered: 12/27/2004)
12/29/2004	 10	ORDER denying 3 Motion to Dismiss, denying 3 Motion for Judgment on the Pleadings . Signed by Judge William H. Steele on 12/29/04. (tgw) (Entered: 12/30/2004)
01/10/2005	 11	ANSWER to Complaint with Jury Demand by Pfizer, Inc., Warner-Lambert Co..(Johnson, Andrew) (Entered: 01/10/2005)
01/18/2005	 12	REPORT of Rule 26(f) Planning Meeting. (Woodson, Frank) (Entered: 01/18/2005)
01/19/2005		REFERRAL OF 12 Report of Rule 26(f) Planning Meeting to Judge Lee. NOTE: There is no image for this entry. (tgw) (Entered: 01/19/2005)
01/25/2005	 13	SCHEDULING ORDER: Pretrial Conference set for 7/19/2006 09:00 AM in Chambers before Judge William H. Steele. Amended Pleadings due by 4/29/2005. Discovery cutoff 5/1/2006. Motions due by 5/9/2006. Jury Selection set for 8/1/2006 09:00 AM in Courtroom 2A before Judge William H. Steele. Jury Trial set for 8/1/2006 09:00 AM in Courtroom 2A before Judge William H. Steele. Position Regarding Settlement due by 5/1/2006. Signed by Judge Kristi D. Lee on 1/25/05. (Attachments: # 1 Standing Pretrial Order)(tgw) (Entered: 01/25/2005)
01/25/2005	 14	AMENDED SCHEDULING ORDER: Pretrial Conference reset for 7/18/2006 09:00 AM in Chambers before Judge William H. Steele. Signed by Judge Kristi D. Lee on 1/25/05. (tgw) (Entered: 01/25/2005)
02/11/2005	 15	<i>26(a)(1) Initial Disclosures</i> filed by Darlene Owens. (Woodson, Frank) Modified docket text on 2/11/2005 (mpp). (Entered: 02/11/2005)
03/31/2005	 16	MOTION for Ronald Rosenkranz & Kenneth B. Fromson to Appear Pro Hac Vice forDarlene Owens. (Attachments: # 1 Applications, # 2 Certification)Referred to Judge Lee 4/4/05. (mpp) Additional attachment# 3 PHV fee added on 4/5/2005 (mpp). (Entered: 04/04/2005)
04/15/2005	 17	ORDER denying 16 Motion to Appear Pro Hac Vice as set out. Signed by Judge Kristi D. Lee on 4/15/05. Copies to parties.(mpp) (Entered: 04/15/2005)
05/23/2005	 18	Conditional Transfer Order (MDL) from District of Massachusetts requesting transfer of action. Entire case file sent (on disk) to requesting District consisting of Docs. 1-18. (tgw) (Entered: 05/24/2005)

Case #: 1:04-cv-00768-WS-L